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3 LONG ISLAND REGIONAL PLANNING BOARD MEETING

4 H. Lee Dennison Building
5 Hauppauge, New York 11778
6 August 15, 2006 at 9:00 a.m.

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(The meeting held at the
above-mentioned time
and place, before
COLLEEN TRACK, a Court
Reporter and Notary Public
of the State of New York).

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2 A P P E A R A N C E S :

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4 James Larocca, Chairman LIRPB
John Cameron, Vice Chairman LIRPB
5 Seth Forman, LIRPB
Theresa Sanders, LIRPB
6 James Larger, Junior, LIRPB
Kevin Law, Suffolk County Executive Office
7 Elizabeth Botwin, NCPC
Patricia Bourne, NCPC
8 Elaine Gross, NCPB
Thomas Isles, SCRPB

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(At this time the meeting has
already been commenced and the
minutes are now recorded).

Chairman Larocca: The purpose
of a planning board, how they
effectively function on a national
basis, how we can possibly organize
structure, etcetera. I think with
a prioritization with a consultant
from out of town while I salute the
chairman, and also the work that
Seth did with providing us those
briefings over the weekend, I think
that is only what's going to evolve
out of this committee. We can
decide what they are rather than
them showing up. This is an issue
we can agree or we can disagree
with.

Elaine Gross: I mentioned the
two things he is not going to help,
as I would imagine, as we're going
through the process.

James Large Junior: He is not

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going to help us establish

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priorities. What he could do for

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us is to help us go through the

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process. We, of course, we'll be

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making the final decisions, but the

7

mechanical steps necessary and part

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of the problem for me is, are we

9

going to assess judgment with in

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fact having not having done any of

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this, we don't have priorities. We

12

don't have the resources as to what

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has been done and what hasn't been

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done.

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His concept would be as he has

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done elsewhere, is to work the

17

staff and ultimately with the

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Board, come up with a framework of

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which we could do this within an

20

orderly way with the input of what

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other people in the areas have

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found in the way of doing this and

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also, I think, importantly in

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starting out with this sort of

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thing. One thing that we would

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have immediate impact that are

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proven elsewhere intractable amount

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of necessary input.

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John Cameron: I think that is

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the challenge we have. I think we

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all know as we hit the ground

8

running. While we have a lot of

9

issues running and while we have

10

numerous issues to delve into, I

11

would prefer we still deal with

12

those issues on an organized basis,

13

on a focused basis.

14

On the other hand, we should

15

find out the best way to do

16

planning. We don't all necessarily

17

know the best way to do planning.

18

I think we all agree that maybe the

19

way it has been done over the last

20

ten or twenty years is not

21

necessarily how we want to

22

continue.

23

People like Doug or other

24

consultants can come in and advise

25

us, but I think I prefer we learn

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to organize this as we go along.

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On the other hand, there are so

4

many issues that we want to try. I

5

think the issues that we are going

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to discuss today is just a few of

7

them.

8

James Large Junior: The other

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thing a consultant brings to it, a

10

certain amount of wisdom on the

11

actual process; what we should

12

improve, how we should improve and

13

on other things and that sort of

14

stuff. Finally not importantly in

15

this guy's case, the availability

16

to recommend to us. We could delve

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into it as such. The availability

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to recommend to us, also the

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sources of function that we have

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consistent to those sort of

21

functions.

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I think Steve points out in his

23

letter to James on page two, he

24

does have that skill, also I

25

believe, is because we are talking

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about this planning, people from

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both Counties also know this man.

4

He also knows who might be

5

available to be an executive

6

director. He has those contacts.

7

Now I could probably access

8

that information without signing a

9

contract.

10

I don't mean to imply that this

11

is a life and death decision here.

12

I think he would be helpful and I

13

think he's free. So in any event,

14

it's not a life and death decision.

15

We can work through all this

16

ourselves.

17

Chairman Larocca: Seth, would

18

it be helpful to you to have

19

somebody like this? He is not

20

intended to replace. I'm curious

21

as to whether you think a guy like

22

this would be useful support?

23

Seth Forman: I think he

24

already has, he has a very broad

25

knowledge of how the regions

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8

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throughout the Counties work. If

3

he adds something to that, again, I

4

don't think the consulting is

5

something that is kind of open

6

ended. I would like to see some

7

kind of schedule attached to it

8

where there would be an end project

9

and information.

10

James Large Junior: He is

11

going to get into and I'm going to

12

have windfall and discussions.

13

Joseph Troiano: I was

14

particularly impressed with the

15

part of his presentation that did

16

start to deal with bringing in all

17

the different governmental entities

18

that we are starting to lose count

19

of. I agree with developing the

20

priorities and getting the

21

philosophies and having somebody

22

that could really bring that

23

process forward so that you're

24

getting so much of the local

25

government on Long Island to start

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to share in that philosophy and

3

that vision as they start to move

4

forward and developing Long Island

5

intelligently is what is important

6

here.

7

So whoever is going to initiate

8

that, whoever that person is, would

9

be a good step forward. From a

10

local government standpoint, I

11

would like to start to see some of

12

that start to be initiated. I

13

think on a local level we are

14

operating in a vacuum.

15

James Large Junior: I would

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remind the Board also that Doug

17

does know Long Island. He has been

18

a consultant with Long Island. I

19

don't know if you have seen that

20

there is an analysis of Long Island

21

strengths and weaknesses of which

22

we should focus. He has been doing

23

that fairly well.

24

Pat might want to talk about

25

that.

1 10

2 Patricia Bourne: I want to
3 mention that in support of what you
4 were saying before Jim Cameron's
5 comments were based upon mutual
6 discussions on both Counties. What
7 we are trying to do for you is a
8 period of conference calls when we
9 speak generally, as you know,
10 otherwise whoever is speaking is
11 making it.

12 Beside Jim Cameron's remarks,
13 the only other comment I would like
14 to make is that what you said
15 earlier, Jim, what we want to offer
16 on Long Island is our education
17 system as you know. I'm sure I
18 think the subject is that if Doug
19 was selected or whoever was
20 selected we would be happy to sit
21 down with him at the beginning to
22 explain what the needs are that we
23 have on Long Island so that he
24 could move quickly and effectively
25 through the process.

1 11

2 The other comment was, through
3 other regional processes I heard
4 various speakers regarding across
5 the country and they have been
6 impressive, but they've always left
7 me with a sense of speaking what
8 they knew in their situation. What
9 Doug could bring to the situation
10 is a national picture which could
11 give us the best examples of what
12 our needs are here on Long Island.

13 Theresa Sanders: My only
14 concern is again what you pointed
15 out that this Board is doing due
16 diligence. I don't want to draw
17 this out, but I think our
18 responsibility as a Board, although
19 this person is great and knows
20 Long Island is it due diligence
21 only to be looking at one proposal
22 and to consider one proposal.

23 Kevin Law: What we were
24 discussing earlier, I apologize to
25 counsel and the attorneys on that.

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I think the Board probably
needs to comply with both County's
procuring process and we have a
process for electing consultants.
We have to go out and get
proposals. Even when we know we
already have the best one, we sort
of have to comply with the
procurement process. Unless it is
something that you are going to
have, I think we talked about Jim,
them getting involved maybe they
hire him and we bypass that now.
Again we're sort of cutting
corners. I'm not sure if the Board
wants to do that.

This Board again is an unusual
type of entity and it's fluid right
now. I think right now the best
thing for it to do is to comply
with Nassau or Suffolk.

Phyllis Seidman: We have been
discussing this. We think what the
Board has been through in the press

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with extra scrutiny, we think, if

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nothing else, it's a nice safeguard

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that we put the process out there.

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If that's not the case, we know

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that. This way everything just

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gives it a sense of fairness to the

8

entire process.

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We did discuss adopting one of

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the County's procurement process

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which is very similar as we all

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know with a sense we're both bound

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with that regard.

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Theresa Sanders: Just for the

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record, I did not see Cary's

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comments that are being referred

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to.

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Seth Forman: They are not in

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the binders. I did it

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electronically.

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Chairman Larocca: Let me

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apologies for that. I thought when

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I saw them electronically I thought

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they came to the Board. We will

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clear that up.

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Let me try to tie up a couple of things that I heard. In their charge to us, the County Executives in this room, talked about the need to involve all the other levels of government. I think this Board takes that very much to heart, and it was, the idea was reenforce by what Doug Linden said to us. Quite frankly, we don't need a consultant to tell us what is fundamental to our County which is to interact in a positive way with all the governments that are involved.

I think our very next meeting was the invitation to the towns and the villages. I thought that was a good meeting and I thought that help set the tone that I would hope would continue. That is a fully interactively process. I don't know that a consultant per se facilitates that process or if, in any way, is a substitute for the

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kind of relationships that we have

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to have as a Board with all of the

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governments. It is not that

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function that I see other than

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reaffirming that this is something

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we all have to do.

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I like John's track of parallel

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processes because that's very much

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what I'm seeing here. The

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inventory of issues that is what

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we're trying to bring forth today

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are there because they are current

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and have significant potential

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impacts on the region. I think we

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can have positive intelligent

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things to say in helping to inform

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the decision making process about

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those issues.

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While we are in the process of

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reforming ourselves, I thought it

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was important that we bring these

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on to get the processes with regard

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to current issues of importance

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under way, and not in any way

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substituting or elevating the need
for other broader processes.

The other point, I guess I
feel, that we are more strongly
instructed already about what we're
doing. I think the statute in
Suffolk and the resolution of
October, 2005 is a fairly
substantial direction of the chart
to this Board including the
completion of the third plan and
the other inventory functions and
processes that we're about. I
don't feel that we're not guided or
not following the plan. We are
following the plan as it exists,
which is that direction which has
been given to us.

In terms of all of that
translating itself to policy work
which is really what we need to be
doing, I think that is where this
possibility of external consulting
could be of value, because it can

1 17

2 help us to understand how policy
3 processes work in other places
4 particularly where other places
5 have different statutory or other
6 authorities to do these things. I
7 think it can be helpful.

8 So what I would like to do, and
9 I'm glad we got to the question of
10 what our requirements are with
11 regard to sole source contracting
12 of any kind, I would like to,
13 between now and September, exam
14 fully what processes we would like
15 to use, if in fact, we would like
16 to bring in a consultant or this
17 consultant. I share your caution,
18 Kevin, if it's substitute a
19 consultant to us, we would not use
20 this to divide, or the third party,
21 to short circuit even though it
22 would be in good faith.

23 What I would like to do is to
24 bring that all home and also
25 examine if we were to want to go in

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this direction what the net would
be that we would through to look at
A.D. Little or the other consultant
houses that are relevant, current
and potentially of value to us if
we felt the need to do that.

Finally, and I think this is
very important and I'm hoping today
we move in this direction, while
all of this is going on, it's like
planning is what you do all your
life. We are going to re-establish
and set up the process, but in the
meantime I think we have to be
relevant and current as the day
requires. There are a lot of
issues right now that we should be
active on. It is my intention that
we take this back and work along
further with the possibility of
using a consultant.

In the meantime, get to work
upon some of these matters I
believe including the continuing

1 19

2 resolutions, and we take the talks
3 about the transfer of the third
4 party process back where it
5 belongs.

6 John Cameron: That being said,
7 the procurement policies are pretty
8 clear except to work on the County
9 Attorney's office that is somewhat
10 ministerial. I think if we want to
11 consider that, because of the
12 interest of timing, not that we're
13 rushing that, we keep moving things
14 forward.

15 Maybe, Seth, and if you will
16 provide some guidance and come up
17 with a scope of services we would
18 anticipate also, assuming, we would
19 want to do that for the next
20 meeting. So that we could have a
21 basis for the documents beforehand
22 and everybody on the Board could
23 comment.

24 I would anticipate if we are
25 going to retain a consultant and we

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anticipant doing something like

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this, that it is more than a phase

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one. If we are going through a

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procurement, it's not going to be a

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short term thing. If we are going

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to retain somebody, let's get a

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scope of services, some of which

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can be a lump sum and some of which

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can be on an hourly basis but not

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to exceed. Maybe you could work up

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a scope for the next meeting. I

13

think we could move things forward.

14

Chairman Larocca: I would like

15

the Board to send directly to Seth

16

any specific thoughts with regard

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to that scope.

18

Elaine Gross: John, we're you

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implying that you think the scope

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should be larger?

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John Cameron: I think larger

22

than, if we are going to go through

23

the challenge of getting somebody

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on board recognizing there's a time

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frame of getting somebody on board,

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let's not just have it limited to

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phase one. If you think we have

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the need. If you look at what Doug

5

has accrued in phase two, some of

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the issues. Not that we want to

7

embrace all the issues.

8

If we think we want to bring on

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a consultant to advise us to proper

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planning or advise us to what is

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taking place for planning

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throughout the County, what works,

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what doesn't work. Right now we

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don't have that information at our

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realm to take that information and

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to learn from it.

17

I, for one, and I think other

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Members of the Board, would be

19

interested in knowing what works

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nationally and what hasn't worked.

21

So we could be basically on this

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parallel track and we could

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establish; how we organize, how our

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policies could be developed,

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etcetera. I think we would want to

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have that in our scope of services.

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Some of this is really more immediacy in the phase one to help us to get a director on board and how they could advise. I think whatever those tasks are rather than to move onto a procurement and then two months later we're moving onto another procurement, it's going to be another three months before we get somebody on board recognizing in the meantime and procuring that's all.

Chairman Larocca: For further discussion, so Seth will be so directed.

Now for the Executive Directors Report here's Dr. Foreman.

Seth Forman: We have a lot of things on the Executive Director's Report so I will try to make the discussion rather fast on most of the items.

The first thing that is not on

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the Executive Director's Report

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that I would like to note for the

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Board is about the October 10th and

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December 19th meetings. The person

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on the Board, Paul Toner, who has

7

expressed an interest in meeting in

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the media room is not here. Those

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rooms are available from 9:00 to

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11:30, and I wanted to know from

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the Board if that was adequate, or

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if it was not, we could go to

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12:00, if not we can continue in

14

the current facility.

15

John Cameron: Which meeting?

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Seth Forman: The one here in

17

Hauppauge, October 10th and

18

December 19th.

19

John Cameron: The media room

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is which room?

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Seth Forman: It is a large

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room on the first floor of this

23

building.

24

Chairman Larocca: We should

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not curtail our substance of work

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because of the availability of the

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room.

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John Cameron: If we had to do

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that, I would rather be here for

6

the half hour.

7

Chairman Larocca: We will get

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to that media room one of these

9

days.

10

Seth Forman: If we go to the

11

third tab on this. Just very

12

briefly this is the expenditure

13

report for the month of July. It

14

totals \$1,229. The largest item is

15

the American Planning Association

16

membership for myself which

17

provides a great deal of the

18

materials and web-site access and

19

stuff like that and food and

20

etcetera for the meeting. It's

21

kind of an uneventful expenditure.

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Are there any questions?

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Elaine Gross: The only

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question is: Does the Board have

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access to the APA stuff as well?

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Chairman Larocca: The next

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item, Elaine, is the list of

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journals. Why don't we go right to

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that.

6

This was actually your good

7

suggestion of what kind of

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professional and other publications

9

the Board might receive on an

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ongoing basis. We do have access

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through, Seth, as a member for the

12

services, of these organizations.

13

This was to get the regular

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material and there's a few pages.

15

Seth Forman: I would just ask

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you to look through it and to get

17

back to me if there are any

18

journals or subscriptions that you

19

would like to start receiving.

20

John Cameron: Right now you

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are reviewing and approving other

22

disbursements?

23

Seth Forman: Yes, anything

24

under \$1,000.

25

Chairman Larocca: The process

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that has emerged is that Seth

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checks with me. Why don't we do

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this, I would ask the Board to just

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agree that the members can indicate

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to Seth which of these publications

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they would like to have and they

8

will go ahead and get subscriptions

9

entered to come to your offices or

10

where ever you want to receive

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them. So we don't need another

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resolution.

13

Elizabeth Botwin: I just want

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to make sure that the Nassau

15

Planning Staff would also have

16

access to whatever the Suffolk

17

County Office will work out. That

18

it would be mutually appropriate.

19

Chairman Larocca: In terms of

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the publications?

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Elizabeth Botwin: In terms of

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the membership and the publications

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and the APA.

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John Cameron: Nassau Planning

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probably gets some journals.

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Patricia Bourne: Some of the things that we get I don't know if Suffolk gets. I wonder if, depending on how you want to see these things, whether you want them in a physical location. Sometimes the publication when you have a membership you can have a key number and access it on-line which may be easier for everybody, we could explore that. The question becomes whether Long Island Planning Board members, you can access a County site, I don't know legally if we can do that. We can look into these things.

John Cameron: You made a good point. If five of us request the same journal and it is on-line, if we have access as a mutual planning board and we're members, any of our members can access it.

Patricia Bourne: The mailing, by the time everybody receives it,

1 28

2 it will be two months later.

3 Chairman Larocca: Why don't we
4 do this. Why does everybody get to
5 Seth those items that they would
6 like to see on a regular basis, see
7 what we got. This is not the
8 alternative to the County Offices
9 in their professional lives being
10 members and receiving their
11 publications. This is really to
12 serve the Board. Let Seth know
13 what is of interest. I think it's
14 going to be a modest matter.

15 John Cameron: Right, maybe you
16 could check with someone if there
17 is a corporate or an organizational
18 membership we all could access?

19 Patricia Bourne: What we could
20 do, and I will speak for both
21 Counties, we could add on this
22 list. I know of a couple of
23 web-sites, there's a Planning
24 Commissioner's web-site through
25 APA. they have points on their

1 29

2 web-sites specifically for
3 commissioner's which is somewhat
4 what you're doing. That may be
5 helpful.

6 Chairman Larocca: Now with
7 Nassau, we had discussed, actually
8 it was Howard Weiss's good
9 suggestion that we needed to adopt
10 a specific protocol for our
11 procurement processes and we
12 directed that to Nassau that the
13 process be consulted, and that's
14 the next item.

15 Seth.

16 Seth Forman: We basically
17 determined that Nassau County has a
18 very nice well-written precise
19 document on procurement procedure.
20 At least it's in one place so it
21 makes it a little bit easier to
22 negotiate. It was the feeling of
23 the County Attorneys for both sides
24 if the process was similar in both
25 Counties, we should possibly adopt

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as an organization. That is that.

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Chairman Larocca: That is,

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behind the journal list is the memo

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and the summary of the process. I

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would invite this. It is just

7

referred to in here.

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Seth Forman: It's kind of a

9

large document.

10

John Cameron: Are we doing a

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resolution on this?

12

Chairman Larocca: I think we

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do need a resolution that adopts

14

the process that we would use. I

15

think such a resolution will be

16

adopted in what Nassau has

17

provided.

18

Is there a motion?

19

Theresa Sanders: Motion.

20

Chairman Larocca: Second?

21

John Cameron: Second.

22

Chairman Larocca: All those in

23

favor indicate by saying aye?

24

ALL: Aye.

25

Phyllis Seidman: I have it

1 31

2 electronically, I do. It's not
3 on-line. It may be on the
4 internet. I have it
5 electronically.

6 Chairman Larocca: Seth, you
7 will get it and allocate it to the
8 members. Thank you, and thank
9 Howard for his good suggestion.

10 Seth Forman: The unified
11 planning work grant is an annual
12 grant that is given by the MINTIP
13 (sic), which is our MBO for the
14 region. Suffolk County is
15 receiving a work plan grant for
16 various activities that it's doing
17 and it was Patty's idea to think
18 about doing a coordinate work
19 project between Nassau and Suffolk.

20 I've been in touch with the
21 personnel. They said certainly the
22 Planning Board would be eligible.
23 The County's transportation liaison
24 have to be basically with the
25 agency on that. In a conference

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32

2

call it was determined that we

3

should have the two County Planning

4

chiefs discuss projects that they

5

might think would be worth funding

6

under this particular grant.

7

The status right now is, the

8

deadline is obviously too late for

9

this year, but again it is an

10

annual and it is in April of each

11

year. We could probably focus on

12

getting an application in for 2007

13

for this grant.

14

Elaine Gross: What is the

15

range for this grant?

16

Seth Forman: It's large, it's

17

a pretty large range.

18

Carrie, what are we getting for

19

that?

20

Carrie Gallagher:

21

Approximately \$11,570.

22

Patricia Bourne: That's a

23

pretty high number. Each County

24

puts in a variety of programs. The

25

individual programs can range from

1 33

2 \$5,000 to \$10,000 up to the very
3 large ones such as half a million
4 dollars.

5 I think the important thing, if
6 there is something that is a
7 priority for this group that is not
8 being funded or you want to use
9 your money for something else, this
10 is a means to consider for funding.
11 It has to be something related to
12 transportation. It could be for
13 land use, but it has to have a
14 transportation connection which
15 would allow the Board for some
16 spending they would like to do. It
17 could be for in-house staff or for
18 hiring a consultant.

19 The only caution I would make
20 is that there is a local match
21 which can either be provided in
22 cash or inkind, meaning inkind
23 services.

24 Chairman Larocca: Thank you.

25 Next, Seth.

1 34

2 Seth Forman: In terms of the
3 Long Island Planning Board Work
4 Plan, there have been a lot of
5 amendments or comments on the work
6 plan as it sits before you, and I
7 think the chairman wanted to bring
8 this up again so that we can begin
9 to solidify and finalize the work
10 plan, understanding it is difficult
11 to do without knowing precisely our
12 budgetary situation for this year
13 or for next year.

14 Chairman Larocca: It is a good
15 point to mention that the 2006
16 appropriation from Suffolk County
17 has been cleared to the account for
18 the Regional Planning Board. The
19 Nassau is pending.

20 Patricia Bourne: We do have an
21 update which I told Seth about. I
22 have been in consultation with the
23 Comptroller's Office, Liz Botwin.
24 We worked out a process which will
25 be distributed in terms of cash of

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payments which will be made on a
quarterly basis on a voucher. The
voucher would indicate specifically
what had been completed and what
the cost would be after being
reimbursed.

Chairman Larocca: Given that
we are better than half way through
the year, would there be a voucher
that would bring us current?

Patricia Bourne: We can accept
it for half a year.

Chairman Larocca: Why don't we
bring up that? That will get us
caught up in both Counties.

Seth Forman: Patty, are you
also telling me the materials that
need to accompany the voucher, we
discussed prior to the meeting.
Obviously, we should know what the
work activities are that are being
funded by the lease outline; is
that correct?

Patricia Bourne: Yes. We

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would need to know what the money
was used for and the specific cost
involved, staffing cost, whatever
cost is available.

Elizabeth Botwin: Maybe what
we should do is, have a three-way
conversation after this meeting
just to work out the mechanics.

Chairman Larocca: I would
think that as we find our way into
a routine, these are general
operations of the Board, they're
will be categories and staff
reports and so forth.

James Large Junior: I'm not
sure what I heard. Did I hear that
the money vouchers are in place?

Chairman Larocca: The Suffolk
money has been cleared into the
account for the Board. The Nassau
money will be subject to a voucher
and will start with a voucher for
the first half of the year to
include the kind of detail that

1 37

2 will be developed, but it will be
3 with general categories that you
4 might expect which is our ongoing
5 operations.

6 Elizabeth Botwin: This is the
7 2006 budget appropriations.

8 James Large Junior: The
9 \$200,000 is in the bag.

10 Chairman Larocca: In the bank,
11 not in the bag.

12 Thank you. I jumped the gun on
13 you there, Seth. That was the
14 report, and the 2007 budget request
15 did go through to each of the
16 Counties.

17 Is there anything to report on
18 that, Seth?

19 Seth Forman: I have not heard.

20 James Large Junior: But they
21 have gone to both Counties?

22 Chairman Larocca: Per the
23 discussion of the last meeting,
24 they were pending in the County
25 Executive's process. The County

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Executives are now in process of
formulating this in their budget.

Let me set up the next five
items. If you will, Carrie.

Carrie Gallagher: Can I go
back to the work plan. I want to
make clear, I have sent comments to
Seth. We had a conference call. I
summarized my comments and got them
to Seth with comments and told
Patty with the understanding that
something would be come out of
that. I want to make it clear at
least from Suffolk County through
planning and Nassau planning we
have provided that.

Thomas Isles: They have been
incorporated, Seth?

Seth Forman: No, because a lot
of it was in terms of different
categories that I think Carrie
thought would be more accessible or
understanding. It was really
organizational in those terms.

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I didn't want to incorporate

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it, because it constitutes a

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significant change in the formate

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of the work plan. I wanted to get

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more feedback on it.

7

Thomas Isles: What's the

8

process that's going to be? Do you

9

want us to continue to review and

10

finalize those comments, or do you

11

want to wait for the Board?

12

James Larger Junior: I don't

13

think we've seen those comments.

14

Chairman Larocca: We will

15

circulate them as they arrive.

16

Certainly, Carrie's comments are

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here or even anybody else as part

18

of that continuing process. We did

19

not have additional specific

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comments from any of the Board

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Members in this process. So we

22

should have those.

23

James Larger Junior: Two

24

obvious point:

25

One, I think, is a plan what

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the components of the plan are.

3

What we would like Seth and his

4

efforts to focus on during the next

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strata and no discussion at all on

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the nature of the plan. If we have

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those discussions, I would suggest

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that these timetables would be

9

broken down into quarterly

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components so it's not just all

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three or four years, we won't know

12

until the end of four years where

13

we stand on them.

14

Secondly, I would like to talk

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about that first and then I think

16

there are some mechanics in the

17

budget that I think require

18

comment. We are not reapproving

19

this plan with it's nineteen

20

activities?

21

Chairman Larocca: If you

22

recall, we had this before us. We

23

asked the Board Members to make the

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kind of comments that you're making

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now.

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What I would suggest is that the process remains open. This was drafted, I think we took at the June meeting, and the members were going to react to it. I think that comment about breaking out the estimated time or the time frames for the performance of each of these tasks is one of those inputs that's in the process as we have tried it. I have not asked you for a final approval of this plan.

James Larger Junior: When will we have that discussion?

Chairman Larocca: We can have it at the next meeting, but I would strongly urge, in the meantime, that the Board give me your recommendations, changes, amendments and so forth so that it's not simply a repetition of the earlier conversation.

In the meantime everything that does come in like Carrie's

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comments, which I thought was distributed, will be circulated to the Board.

John Cameron: Initially I think Carrie's comments, they were talked about at the last meeting. Carrie was going to intergrade and Nassau was going to talk to Carrie and get coordinated. Did you get coordinated comments between the two Counties?

Carrie Gallagher: Were they independently submitted?

Patricia Bourne: No.

John Cameron: Did Nassau submit comments to Carrie?

Patricia Bourne: We gave comments to you. We gave comments and we talked about it with Carrie.

James Larger Junior: It makes me a little uncomfortable to approve a budget without having to approve what we're going to do with the money that we get.

1 43

2 Let me change subjects. On
3 page eleven I want to talk about
4 this. This is a minor thing, but
5 it's the kind of thing I would
6 rather not get out of our hands
7 without tying up.

8 Elaine Gross: Page eleven of
9 the work plan?

10 James Larger Junior: Yes.

11 Elaine Gross: I only have
12 nine.

13 James Larger Junior: Draft
14 ledger for the remainder of 2006,
15 I'm looking at the one that came
16 before. I was under the impression
17 it was on page eleven.

18 Elaine Gross: What we see is a
19 2007 budget request.

20 Chairman Larocca: The '06 is
21 not in this budget.

22 James Larger Junior: I have
23 already given my comments to the
24 '06. It's a somewhat hard to
25 follow the mixture of past

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expenditures and incline with the
year-end balance that is derived
from it. Therefore, it's
inaccurate and I imagine it will be
changed.

Chairman Larocca: Hold on a
minute. I don't want to leave out
there that's something inaccurate
in the budget, because that's not
the case.

James Larger Junior: No,
there's nothing inaccurate.

Chairman Larocca: What we did
last time is we changed it again,
the format, to represent the inkind
and there were some members that
were troubled by that terminology.
We wanted to reflect that which is
personnel that are functioning in
whole or impart with the Board,
whose salary and other expenses are
reflected in somebody else's
budget. We came up with yet
another format which is meant to

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put the two side by side which is

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the same way it appears in '07.

4

I'm sorry I don't have the '06 with

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me.

6

The bottom line on that budget

7

is the format reflected how we are

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doing it. It's not inaccurate. It

9

may still be cumulated. We have

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the matters of the two Counties

11

which is asymmetrical. When you

12

come to the personnel that is

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needed, some of that personnel is

14

on an as-needed basis. You don't

15

have that showing up equally on

16

both sides of the ledge.

17

James Larger Junior: It shows

18

a year-end balance of \$3,700. I

19

believe that is not what you're

20

looking to be earned up, because

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the calculation has been done.

22

Seth Forman: Right, I mean in

23

terms of when the moneys get

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released. Essentially, we are

25

operating in deficit as an

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2 organization as the moneys get
3 released.

4 Chairman Larocca: I think we
5 have to use this terminology with
6 some care. We are not operating in
7 deficit. We have appropriations
8 from the County that are actually
9 received from the Suffolk County
10 Comptroller who acts as the fiscal
11 agent for this Board. Like any
12 enterprise moneys are received and
13 dispersed as a result of processes
14 including personnel processes.
15 That's what this is.

16 The Suffolk County money was
17 recently cleared and the Nassau
18 money will be released from time to
19 time on this quarterly basis
20 starting with a half of year. That
21 is not deficit anything. That is
22 something consistent with the way
23 governmental agencies manage their
24 affairs.

25 I thought we had resolved all

1 47

2 these matters. If there is
3 something out there, I really want
4 to clarify it today.

5 It's very important that we be
6 clear how we are functioning. I
7 thought we had an '06 agreed to and
8 the format that we understood was
9 still awkward with the combination
10 of the two Counties annual incline
11 contribution that we were fully
12 accounting in every logical way and
13 we know where we're at any given
14 time.

15 The Comptroller is able to
16 render for us snapshot reports at
17 any given point in time as to where
18 we are in the process.

19 Phyllis Seidman: The inkind, I
20 don't know what that is?

21 Chairman Larocca: The inkind,
22 as we discussed, is processed for
23 us.

24 Phyllis Seidman: On an
25 annual-type basis, yes.

1 48

2 John Cameron: Also our
3 statements on the budget are not on
4 a cash basis. It doesn't reflect
5 the fluctuations or the timing of
6 the cash receipts. Basically it's
7 on an accrue basis, and what it
8 shows, what is anticipated to be
9 funded during the year and what is
10 intended to be appropriated.

11 I think if you are looking at
12 cash flow difference in a sense it
13 is not an issue.

14 Chairman Larocca: We are
15 current in any bill paying as far
16 as I know. It's a very modest
17 expense process any way. The
18 biggest expense being the personnel
19 are charges up against us in their
20 own way. I think, unless there's
21 something else.

22 James Larger Junior: The piece
23 of paper is mathematically
24 incorrect. I will give Seth a
25 correction. The concept of the

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budget is perfectly solid and I am
totally in favor of it, the way it
is expressed to it, and I will give
Seth my comments.

6

Chairman Larocca: Thank you.

7

Kevin Law: Just on the 2007.

8

I think Elaine Gross shocked the
conscious and it doesn't show.

10

Just so there are no surprises of
what we anticipate. I will direct
Tom to work it out with Tommy. We
anticipate that Nassau will be
higher than Suffolk. We will have
more in the income execution from
County employees.

17

I will direct Tom to work it
out with Patty what exactly what
our inkind contribution is, how
much we need to cut our 2007
budget, how much they should put
in. I don't think it will be fifty
fifty in terms of cash.

24

John Cameron: Do you mean you
will have those numbers?

25

1 50

2 Kevin Law: Before the next
3 meeting.

4 Patricia Bourne: I had made
5 the request. I also alerted the
6 request to budget process and
7 thereby alerted them. We really
8 need to provide more inkind service
9 as well as staff in order to equal
10 the pool of Suffolk County. I have
11 made that request and I haven't
12 heard back. We are coming to the
13 point, we are finishing up our
14 budget.

15 Chairman Larocca: The
16 objective is at the end of the day
17 there is sympatry. The actual time
18 might vary depending on seeding the
19 project. The bottom line is both
20 Counties are contributing evenly.

21 Kevin Law: As close as we can
22 get.

23 Patricia Bourne: When we get
24 down to the year on paper so
25 everyone can see it.

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Elaine Gross: I guess the only

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thing that I would request is that

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the Board should have some, should

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be collaborated on the inkind. So

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that you are not giving us, maybe,

7

something we don't want.

8

Do you know what I mean?

9

Kevin Law: At the end of the

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year we may be lending to our other

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resources. Those will just be a

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give me.

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We know, from past experience

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we know, Seth counts one

15

hundred percent. Suffolk County

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contributes. We have some of the

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staff who historically provide. We

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will be able to figure that out and

19

Patty will be able to figure out

20

her staff as other issues come up

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throughout the year. That's the

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beauty of being able to rely on the

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two departments in terms of

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budgeting.

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We will try to go through the

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process we just laid out.

Carrie Gallagher: I do happen to have on me my hard copy of the reorganization of the work plan. I made some copies. I don't have all of the portions on the terms of mission. We are organizing the categories that are currently in and I will refer to each one by number.

Chairman Larocca: If you think the format works, by all means, distribute it here.

Now to what I thought would be the heart of today's meeting, the first item and we'll take these in turn. The first is an information item that addresses the matter of the racial composition of the Long Island School Districts. There has been reporting on this. There has been discussion on this. I ask that we have a briefing memorandum that would just report on the

1 53

2 numbers.

3 The items after that all deal
4 with current matters of interest.
5 So Seth, why don't you begin with
6 the briefing memo on the racial
7 composition.

8 Seth Forman: Okay. These are
9 numbers that Regional Planning
10 Board has looked at over the years
11 with some interest, because of the
12 changing nature of the demographics
13 on Long Island. You have the
14 report in front of you. There's no
15 reason to go over the entire
16 project, but basically we are
17 looking at a category of industries
18 that are called the overexposure
19 index and the isolation index which
20 calculates the average pupil from
21 each of the racial categories that
22 we are looking at.

23 What is the school district
24 composition that they attend? The
25 average black pupil attends a

1 54

2 school with thirty-four percent
3 white, twenty-five percent
4 Hispanic. Those exposures are
5 considered standard when we are
6 talking about racial imbalance or
7 segregation.

8 The thing that actually pops
9 out the most is what I really want
10 to bring to your attention. We
11 know that the number of Hispanics
12 pupils has grown very rapidly since
13 1991 by about one hundred
14 four percent. The number of black
15 pupils has also grown very rapidly
16 by about thirty-eight percent.
17 White pupils have grown by about
18 nine percent. White pupils overall
19 make up about seventy percent in
20 2004 where they were eighty percent
21 in 1991.

22 The thing that stands out to me
23 in terms of the exposure, if you
24 turn to the back of the report you
25 see in graphic form, which is

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sometimes easier to look at. What

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has happened essentially is that,

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although the black pupil population

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has grown very rapidly at about a

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thirty-eight percent rate. The

7

average white pupil goes to school

8

in a school district that has

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5.4 percent black. In 1991 that

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was 5.3 percent which means there

11

has been almost no integration or

12

increased integration between white

13

and black pupils on Long Island.

14

In terms of the average black

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pupil on Long Island, they have

16

become much more exposed obviously

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to the growing Hispanic population,

18

but far less exposed to whites. In

19

other words, they have become more

20

isolated from whites and more

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exposed to Hispanics.

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If you look at figure five at

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the bottom of the page, you see

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that in 1991 the percent of white

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pupils in the school district of

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the average black was forty-one percent. That has actually dropped to 33.8 percent. The blacks are going to school with fewer whites. In 1991 the average black pupil went to a school district that was fourteen percent Hispanic. That has grown to 25.8 percent.

Essentially what has happened, black pupils, to talk about it in a segregated nonunion way, have traded off the other groups they are attending school with. They are trading off whites in many school districts for Hispanics. Those school districts such as Elmont, Lawrence, Hicksville; in Nassau County, Freeport, where the white population have declined rapidly and the Hispanic population increased; in Central Islip, Patchogue-Medford and even some of the central school districts in Suffolk County.

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This is obviously a purely informational memorandum. The issue that has to be determined or if the Board wants to determine is, if there are policy implications to this kind of data. Whether there are people who are being deprived of life opportunities or education or opportunities to attend certain schools. Then perhaps, if the Board is so inclined to determine some of the kind of policy issues that would flow from that, whether that means something with regard to increasing housing integration or even removing the determination of where a person attends school from where they live, whether that means charter schools, school vouchers or any number of programs. The Board can discuss that.

I wanted to provide you this information, because I think that this is certainly a regional

1 58

2 concern, and that's why the
3 briefing memo which Jim and I
4 thought that should be out.

5 Chairman Larocca: Put that
6 together with the report in today's
7 paper about the overall changing in
8 the Counties.

9 Seth Forman: As the Hispanic
10 and emigrant population grows,
11 other groups become more exposed to
12 them. As the white pupil
13 population or a proportion of it
14 shrinks, people normally would
15 become less exposed to them.

16 However, in the case of natives
17 or blacks there is almost kind of a
18 standing still or trading off. It
19 is not insignificant, by the way,
20 that blacks seem to be more
21 integrated with Hispanic. For a
22 long time white ethnic groups in
23 big cities such as New York and
24 Boston have always defined
25 themselves against native-born

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blacks. Some of the most ferocious

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kind of conflicts occurred with

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regard to school busing in Boston

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between Irish Americans and ethnic

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communities. There was a very big

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school strike in New York City

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involving predominantly Jewish

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teachers in black school districts.

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So the conflict between

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relatively new immigrants and

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native-born blacks have always been

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very high. The fact that might not

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be the case or as much be the case

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with new immigrants to the country

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that are mostly not white, it is

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not insignificant but what

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education ramifications of what

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that might be is a matter of

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ethnicity.

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John Cameron: The issue is

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also, I would think, it's not a

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matter of choice as much as for

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blacks and Hispanics as much as

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economics. It looks like

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essentially a number of the whites

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have left the community where they

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are black districts, the minority,

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the whites, have been supplanted by

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Hispanics or the increase of

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Hispanics. With the growth of

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Long Island, they essentially have

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moved into areas where they can be

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accepted or they can afford as

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opposed to blacks and Hispanics. I

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think it's a choice of Hispanics

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and Latinos or blacks.

14

Theresa Sanders: Some of it is

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a combination. Some of our

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national research has shown that

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even in equal economic inferences

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racial pattern of housing is at the

19

core of segregation even. If an

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African-American family can afford

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to live in a particular area, they

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are being steered away from that

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particular area.

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These are some policy issues

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and I know Elaine read an article

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in the newspaper yesterday, these are policy issues that are very important for this Board. It is a definite segregation racial policy piece we have to look at on Long Island.

Elaine Gross: It's not the only thing. I would ask one caution. When you are looking at disparities and you use averages, it's misleading. It doesn't show the true impact of the disparity.

Do you know what I mean?

Seth Forman: Yes.

James Larger Junior: It's that old thing of being able to drown in a lake three inches deep if there is a hole in the middle of it. Any comparison that does not go down to school by school or even classroom by classroom, does not relieve disparities that we need to know about it. I agree with Elaine. Something that speaks in averages

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2 is not much use.

3 John Cameron: Some of the
4 school districts that you mentioned
5 there is a wide disparity. If you
6 take for example, Lawrence School
7 District vice versa Elmont, there
8 are total different factors for
9 that. Lawrence has basically
10 changed to an Orthodox Jewish
11 community so everybody is leaving
12 public schools to go to the private
13 school system. The numbers are
14 changing erratically as opposed to
15 a change of cultural changes which
16 is occurring in Western Nassau
17 which really isn't a black issue.

18 Chairman Larocca: But in these
19 two districts would be
20 fifty percent.

21 John Cameron: It's very
22 difficult. The difference you have
23 is trying to make sense out of
24 these two numbers. The point is
25 well taken. I think we're losing

1 63

2 it in the numbers.

3 James Larger Junior: This
4 change in the cultural fix of a
5 million dollars in ten years, we
6 will look back and say this was the
7 most significant thing that was
8 happening to us. I would strongly
9 urge the Board to get ahead of that
10 bandwagon, and I know the colleges
11 are not modifying their curriculum;
12 ratifying the measure of teachers,
13 modifying the need for remedial
14 training.

15 I think the business world is
16 equally behind the curve of what is
17 going on. If we can sound the
18 alarm on that, I think we did a
19 good job.

20 Elaine Gross: Ditto, Jim.

21 Chairman Larocca: In the speed
22 of these changes, the Spring School
23 District on the East End has
24 basically gone from zero to
25 twenty-five or twenty-eight percent

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recent Hispanic population in the
school district not recently
represented on the school board.
One out of four coming out of
Spanish households is a profound
cultural form, every other kind of
change and it is barely being
ingested in terms of it's
implicationspolitically and
economically.

Do, Seth, get a hold of the
census report that is the origin of
today's story. If we can have the
report out to the Board, a periodic
report.

Elaine Gross: Just two
comments. Well, one to sort of
confirm what you're saying about
the schools of education not
changing. Having done some work in
the school districts and you still
hear stories of placement, meetings
with staff and they're talking to
Latino parents who don't speak

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English and there's no one in the

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room to translate. At the end of

4

the meeting they say, well, sign

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off that you agree with the

6

placement of your student, and

7

that's it and the teachers say

8

this. In staff development they

9

are acknowledging that this is

10

happening and yet there's nothing

11

done about it. So that is

12

definitely a problem.

13

Thank you, Theresa, for raising

14

the issue about fair housing

15

because there is definitely a

16

connection in all the studies

17

related to and the studies we did

18

for racism, the lack of the fair

19

housing, the continued

20

discrimination and the

21

opportunities around equality of

22

public school education and life

23

choices after that.

24

Kevin Law: I would be

25

interested to get behind and

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66

2

establish one of the disparities.

3

That's something that the New York

4

State Education Department does or

5

will do, or is that something that

6

the Board is directing staff to

7

spend time on to get behind the

8

numbers?

9

Theresa Sanders: The State

10

Education gets it. It's a matter

11

of accessing it.

12

Seth Forman: I didn't include

13

it.

14

Kevin Law: He could do that

15

from the State data?

16

Elaine Gross: They don't

17

desegregate it in all of the ways

18

that they should. That's another

19

issue. That's where Seth comes in.

20

There are other ways we are

21

doing in order to get a true

22

picture of what is going on. There

23

is some additional data we can use.

24

Kevin Law: Is there something

25

that the Board would want to share

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67

2

with some of the public school

3

districts. We talked about this.

4

Chairman Larocca: All I want

5

to do for today is to establish

6

that this overarching area over

7

public housing concern is one that

8

we would be directly monitoring and

9

paying attention to reporting and

10

Jim is right. This is a very

11

profound period of change, just

12

establishing that we are in this

13

issue and need to be and hopefully

14

we will be able to contribute.

15

Theresa Sanders: If we had to

16

weave a common thread, I mean with

17

the issue of equity is to weave

18

through the equity and the housing

19

issue.

20

Joseph Troiano: With the

21

growing Asian and South Asian

22

population throughout the region

23

and on Long Island as well, is that

24

adding to this study?

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Seth Forman: Asians are

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commonly one hundred percent
integrated whites. We didn't look
at it in this category to deal with
it at this point. Once again that
is an interesting point.

Joseph Troiano: It is running,
they are more highly integrated.

Seth Forman: They also
represent a relatively small group.

Joseph Troiano: A combining
group, but still relatively small.

Elizabeth Botwin: Can I raise
one more point?

Chairman Larocca: Yes.

Elizabeth Botwin: I know we
are talking about this in terms of
looking at the school districts and
looking at racial segregation is a
trend in both Suffolk County and
Nassau County as far as the school
districts. But this is a time of a
great deal of increase in school
district integration in both
Counties both from the point of

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view how the school districts

3

should be funded and the school

4

district expenses, whether they can

5

continue to be born in the existing

6

organization.

7

This sort of increase from the

8

Regional Planning Board, it would

9

make some sense in longer terms.

10

If we are looking at school

11

districts to tie in the broader

12

sense the delivery of educational

13

services to children and how it is

14

going to be changing over the

15

coming quarter decade or quarter

16

century.

17

The current system it seems

18

cannot be sustained. In terms of

19

the tax burden and the individual

20

expenses for the individual

21

districts and any changes that

22

might develop over time that a

23

consensus might develop. It would

24

make some sense for the concerns

25

that have long been expressed and

1 70

2 unresolved in terms of a new look
3 at the school district
4 organization.

5 Chairman Larocca: There is a
6 Suffolk Commission place, too?
7 What about Nassau, is there a
8 specific commission?

9 Elizabeth Botwin: I know that
10 the County Executives have been
11 working with a group of the school
12 district school boards within the
13 County primarily addressing issues
14 relating to cost rather than
15 funding.

16 Kevin Law: The County is
17 looking at ways for the school
18 districts to share costs and
19 expenses with the towns and
20 villages. The other is overall
21 instructional points to finance the
22 schools in terms of them addressing
23 this particular issue.

24 Patricia Bourne: Where we are
25 versus other parts of the state.

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Seth Forman: In terms of the study and in terms of inquiry for this Board, I think it's a legitimate area for all of those policies pooling all of the commercially property taxes to finding another finance such as; the income tax, tax charter school vouchers, all those issues that are out there that are trying to improve young peoples life chances we should inquiry.

Chairman Larocca: Thank you.

Next up the four issues that are already here. Seth and I have discussed and I ask him to work up a briefing paper on each, because each is currently in a decision process, each has significant, certainly three of the four have significant policy implications for the region as well as the possible implications that includes; environment, economics and

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otherwise. Each, I think, are

3

matters where we can contribute to

4

the debate and public policy

5

development in those areas.

6

The first is related to our

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groundwater. Groundwater is a

8

matter that the Regional Planning

9

Board historically has been

10

strongly interested in developing

11

the groundwater plan.

12

Hurricane insurance is a matter

13

that is accelerating as a public

14

issue because of this disengagement

15

at one point or another by a lot of

16

the carriers. A lot of homeowners

17

that didn't think they were subject

18

to losing their coverage because of

19

a hurricane threat are a lot

20

further inland than they would ever

21

imagine.

22

There was a terrific piece, I

23

guess, in the Times a couple of

24

weeks ago. There was a man in the

25

middle of Brooklyn who lost his

1

73

2

insurance. How Allstate classes

3

homeowners seventeen miles from the

4

beach as a danger zone.

5

The other two are the two

6

current energy proposals. Both of

7

these are here, because of their

8

significance and their precedence

9

in policy in terms of marine

10

environment. That is why they are

11

here.

12

Seth, I would ask you to do

13

them one at a time.

14

Seth Forman: Let me just say,

15

that my intent in trying to prepare

16

these papers was not to push the

17

Board into a position of any kind

18

or into an action of any kind. I

19

was trying, in a sense, to relate

20

on how current issues or current

21

topics that are pressing relate to

22

some of the planning work that was

23

done.

24

If you look at what I call

25

staff recommendations or what the

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Board might want to call policy

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options or discussions or what have

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you, they were just meant for

5

discussion purposes, but I related

6

them to prior plans that have been

7

in place. So that you know that

8

they exist essentially.

9

Also to show you that we can

10

sink our teeth into something

11

substantively as we think further

12

about the two tract reorganization

13

of what we are doing.

14

Phyllis Seidman: I'm sorry,

15

before you get into that, could I

16

just make one statement.

17

I'm sure I think everybody

18

reads the paper and I'm not sure

19

everybody understands. I know

20

that, and I want you to know, there

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is quasi litigation about this very

22

issue right now. I know both

23

Counties are involved in as parties

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quasi parties. It is all right now

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over a permit application pending

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before an administrative law judge.

I want everybody to be aware.
I have not been involved with the
litigation. I have discussed
previously with some of the people
who have been. I want everybody to
be aware that both Counties are
involved in this.

Chairman Larocca: We are here
today to discuss it as a policy
matter.

Phyllis Seidman: Nobody is
preventing you from doing that. I
want to caution you, this is
something that we did not know
until some people on Friday and
some people were out on Friday that
this was even going to be discussed
today. I really don't know what
input Nassau County, in particular,
would like to have into this. This
is all things that we still need to
discuss and we have not had the
opportunity to do that.

1 76

2 Seth Forman: The agenda was
3 distributed on August 1st.

4 Chairman Larocca: I would take
5 it a step beyond what Seth said.
6 They are here for discussion
7 purposes, but it would be my hope
8 that we are starting processes that
9 would lead to our taking positions
10 on this matter.

11 Elaine Gross: If I could.

12 This comes back to a comment I
13 made earlier. Your preamble to
14 these three matters provided a
15 helpful rationale for a wide look
16 at these things now.

17 What I was asking for before
18 was, let's have a list of things.
19 Let's identify all of the things.
20 Then they might get grouped. In
21 terms of, these things would be
22 good for us to make a decision now
23 because this is happening or some
24 decision is pending or whatever,
25 but without that framework then it

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seems like we're just getting an
issue this morning and we're not
quite sure how it's fitting in and
the Board isn't having an
opportunity to think through what
those things are.

8

Do you understand what I mean?

9

Chairman Larocca: It's very
well taken. I think two thoughts.

11

One, is that the broader
content is what you're seeking here
is at least in the framework of
work plan that we were trying to
put in place, and the policy
framework is in the October
Resolution. These are among the
policy areas we are tasked with
dealing with. So there is a very
broad context. I think what is
missing between the very broad
context and the immediate finding
on your desk of a briefing memo.

24

It is very well taken. I

25

think, if we do this right that

1 78

2 context will exist.

3 John Cameron: In fact, I had
4 advocated earlier on and the
5 Chairman has stated his willingness
6 to do this also, as we go forward
7 that we have as a theme for each
8 meeting; maybe energy as a theme,
9 housing as a theme, social equity,
10 the environment. Not that it's the
11 entire meeting, but that may occupy
12 the majority of the meeting. Where
13 a lot of these issues come up. We
14 do have issues here and
15 environmental issues.

16 I think that's something we
17 have to consider going forward. We
18 said once we get into the fall, I
19 thought we would consider
20 accomplishing a theme for
21 subsequent meetings. I think that
22 can help.

23 Elaine Gross: We can also make
24 sure we have the right people in
25 the room.

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John Cameron: When you know

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there is a theme, there would be

4

basically the stakeholders and we

5

would invite stakeholders and we

6

would make suggestions to Seth as

7

to who would be invited to those

8

specific meetings.

9

Seth Forman: Again, that

10

basically is the bulk of the

11

recommendation. Essentially we

12

should have contacts with these

13

various stakeholder and determine

14

what needs should be done at that

15

time.

16

At any rate, I won't spend a

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lot of time. Most of you are

18

familiar with the subjects, but I

19

tried to lay them out as concise as

20

possible with the various competing

21

viewpoints.

22

In terms of groundwater, most

23

of you know that the Lloyd Aquifer

24

is the deepest and the most

25

pristine water that we have on Long

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Island. There is a little bit of a dispute or debate or disagreement among some people on Long Island whether some wells could be dug in Suffolk County or anywhere else for that matter that leads down to the Lloyd Aquifer.

Coastal communities in Nassau County do rely on the Lloyd Aquifer water much more so than none of the other communities, except potentially up in the Huntington area, rely on the Lloyd Aquifer to a great extent.

Nassau County officials and some other environmental groups and other people are concerned with groundwater. They are concerned that Suffolk County Water Authority would like to be able to tap into the Lloyd Aquifer if they need to for what they consider to be a blending process that would reduce the amount of nitrates, so to

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 speak, in Suffolk County.

 I don't want to speak, and I don't think the Board should ever speak, to an application of any kind to DEC or anywhere else. However, we do discuss the fact there has been a moratorium of tapping of wells or digging of wells into the Lloyd Aquifer with certain exceptions and that is basically coastal communities that are not very well defined in the law that was past in 1986, and possibly hardship cases. The DEC determines what is a coastal community and what is a hardship case.

 In discussion with both health departments, it was determined that groundwater modeling to the point DEC could establish a much more concrete framework for the counties, whether it be the Lloyd Aquifer wells, affects the

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groundwater pressure or quality

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anywhere else in the region and

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they probably should get a little

5

further along in doing so once they

6

do.

7

I wrote up the report and I

8

tested all of these issues that are

9

out there. I would like to get

10

feedback and have you mull over

11

what, if any, role the Regional

12

Planning Board could take. This

13

does seem to be some issue that

14

where the Regional Board is very

15

well situated.

16

We have representatives from

17

both Counties, and it does seem to

18

be not exactly along county lines.

19

There are Suffolk County and

20

elected officials that are also

21

opposed to it. It does seem to be

22

a case where there is a role for

23

some kind of mitigation.

24

Chairman Larocca: One thought

25

in bringing it in was, when you

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2

look at the history of this piece

3

of real estate called Long Island

4

which actually exists as a piece of

5

real estate independent of where

6

the municipal line and the county

7

division lay, in the early part of

8

history the overdrafting of the

9

groundwater in Brooklyn and then in

10

Queens was met by building pipes to

11

the Catskills, and groundwater

12

which exists in similar

13

configuration over the whole of the

14

real estate after it was

15

compromised really didn't cure

16

itself.

17

The developing City of New

18

York, City of Brooklyn really had

19

options that really is not

20

available to Long Island. We are

21

one hundred percent dependant on

22

the groundwater without that

23

fallback opportunity that existed a

24

century and a half ago. That makes

25

this an essentially very, very

1 84

2 important, a critically important
3 matter.

4 Second, in this discussion I
5 think we should try to divide some
6 of the questions of science about
7 whether it is a good or bad idea,
8 what are the implication of drawing
9 water from the questions of
10 governments.

11 One of things that strikes me,
12 while it's a common resource, you
13 have the combination of
14 governmental entities that actually
15 address and control it. One of the
16 policy inquiries is whether this is
17 the right configuration for
18 managing the economic resource.

19 There are multiple authorities
20 in Nassau. There is one
21 substantial authority in Suffolk.
22 There are some that are
23 interconnected and not others. I
24 think all of these have very
25 important policy implication going

1 85

2 forward.

3 It's a policy. To say how
4 critical it is, it's critical to
5 future development, to
6 environmental health. There are
7 examples of where compromise to the
8 groundwater had resulted in
9 problems on the surface including
10 the shutting of interneighborhoods
11 and so on.

12 John Cameron: I think this is
13 a far-reaching issue. It's not
14 just the tapping of the Lloyd
15 Aquifer. It begs the question of
16 the quality and quantity of water
17 supply on Long Island. If you had
18 to choose one area that could
19 severely limit the economic growth
20 for Long Island for our standard
21 ability, for public health and
22 welfare all the specifics on
23 Long Island, the drinking water
24 supply is probably certainly at the
25 very top.

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There is a number of issues that are affected here on this specific issue. Frank, while you have done a good job of presenting some of the issues on this specific application, it's getting into the issue of Suffolk County sewered areas and unsewered areas. The reason you have nitrate and the contamination of the drinking water supply well is principally due not just to fertilizer but cesspool systems.

While you mentioned Nassau has done what Nassau has done. They essentially sewered the County. They don't have the contamination issues. The ones that do, they are screening it at much deeper levels than possibly in Suffolk County.

Where you talk about the possibility of considering a Nassau County water authority, I think everybody is familiar with a

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lot of the political issues that
creating a water authority in
Nassau with regard to sewerage and
with regard to wastewater,
etcetera.

I think from my prospective
this Board would always want to
support a regional organization or
a regional authority not
necessarily having operating
control, one which could intergrade
basically the access of one county
and look at eliminating the
municipality boundaries, we would
try to solve a lot of the Island's
problems.

If you look at this and you
had a recommendation creating a
Nassau County water authority, what
would be the benefit of that other
than possibly eliminating the
possible district boundaries where
you don't have the fifty water
districts. We basically look at

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this as one district and we can
solve our problems maybe something
like Suffolk, but Suffolk County
has the Water Authority.

Why aren't there other
districts that are possibly
interconnected between these
districts. You mentioned in there,
it's too expensive. I would like
to hear from the Suffolk County
Water Authority, which has a very
talented staff and resources there,
as to why they can't supply water
to this district and it's probably
economics. Why they can't provide
this interconnection and provide
the water to blend for this
district so they don't have to dig,
dig into and access the Lloyd
Aquifer. Me, personally, I think
the Lloyd Aquifer should be the
last resource, the last aquifer
that should be tapped.

You have communities, for

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example, for you Long Beach where

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you have saltwater intrusion on

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this water or some very, very

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experience water treatment

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technology. They have no choice.

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They have no choice.

8

I would like to hear from the

9

Suffolk County Water Authority, at

10

least for my own edification, so we

11

have more information to make an

12

intelligent decision if we are

13

going to make a decision on that;

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why they have to go this route.

15

When we look at this particular

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issue whether it is in Suffolk

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County or Nassau County I think we

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are going to try to knock down the

19

boundaries and look at this as one

20

island as to where Suffolk County

21

possibly has a greater supply and

22

could possible help Nassau County,

23

but not if we have these municipal

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boundaries, whether it be water,

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wastewater or other consolidation.

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2 We do it with energy right now.

3 Why can't we look at that as one
4 Island?

5 May Newburger: I think within
6 the issue of Lloyd Aquifer, I have
7 a totally personal interest in this
8 particular case, because the
9 legislation, the moratorium
10 legislation, was my last act of
11 legislation before I left the
12 assembly. So I have a parental
13 concern for it.

14 Let me say, since it was my
15 last act I have no political
16 agenda. My concern is something
17 that Jim had expressed to protect
18 the aquifer of Long Island. It
19 took to get this legislation the
20 idea was to take a long-range view
21 and to make sure that the Lloyd
22 Aquifer was, as Jim has said, has
23 been the most delicate and the most
24 pristine and the most protected
25 because it has a clay barrier over

1 91

2 it that it be preserved for the
3 future.

4 I would ask very much where the
5 information for that briefing
6 comes, and yes, what you describe
7 as a real dispute has somewhat
8 escalated into a much larger
9 dispute. He did do that.

10 John Cameron: He did do that.
11 I would just hope that both cases
12 are presented.

13 May Newburger: I think the
14 definition also of coastal
15 community is very clear and it is
16 stated in the legislation. It
17 says, the area of Long Island where
18 the maggoty aquifer is either
19 absent or contaminated with
20 chloride.

21 The other thing that I would
22 urge very, very strongly. When
23 this Planning Board looks at this
24 area issue, that you look at it
25 with a long-range view and look at

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what are the things that the water

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authority is going to tell you that

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the Lloyd Aquifer runs north and

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south. It doesn't run east and

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west.

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I will tell you that as the

8

first Chair of the Long Island

9

Water Commission, one of the things

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that we had to convince people of

11

is, that this water knows no

12

political boundaries. That's why I

13

think your point of a regional

14

control is very well made. Whether

15

it runs north or south doesn't mean

16

that it has no affect on

17

Nassau County water.

18

So I think the important thing

19

to understand is really it's a

20

regional question. Therefore, it

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does seem to me, to come under your

22

purview. What affects the water

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here can affect the water in Nassau

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and vice versa what Nassau does.

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Now the other thing that the

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legislation required, DEC to develop a comprehensive plan for the working and the control of the aquifer. And the legislation was past twenty years ago. There has been no plan developed and the legislation says that the DEC and the Commissioner cannot end the moratorium before the DEC develops such and such a plan.

The other thing is, and if I am wrong maybe Dr. Foreman knows this, I've been told that the Suffolk Water Authority says that if they grant this waiver it is so that we get a permit. We have five other wells that they want to then go and apply to this. This is the big concern that we have.

A year and a half ago New York City wanted to invade this Lloyd Aquifer in the eastern end of Queens and we were talking about the coastal community and

1 94

2 Mr. Cameron was talking about
3 Nassau County, this would have very
4 seriously affected those
5 communities in the same way.

6 If we are going to allow an
7 exception, which is not to say
8 there shouldn't be any, but you
9 better be very, very sure that it
10 does what the legislation says.
11 The legislation does not say
12 hardship. It says extreme
13 hardship. As far as we have been
14 able to see, Suffolk County has not
15 demonstrated extreme hardship.

16 So these are the things that I
17 think you need to look at very
18 carefully when you consider this
19 and I think it's a really major,
20 major regional problem. And I
21 think it does desire the concern of
22 the entire Planning Board, Nassau
23 and Suffolk. I hope you will
24 resolve it together.

25 I have to say, as I said

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honestly my personal opinion is,

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that in this case it should not be.

4

They are not a coastal community.

5

They have not demonstrated extreme

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hardship since they have done

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nothing else except to come to this

8

waiver. I think extreme hardship

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for me means you tried many ways to

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remedy a situation that might be

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available to you, then you go to

12

the final effort.

13

Please read the briefing very

14

carefully, and I would love to be

15

able to see a copy myself, and

16

think of it in terms of your

17

long-range view as a regional body

18

and not as just something that

19

Suffolk wants. And Nassau has

20

responsibilities, too. I'm not

21

saying that. Everybody has to look

22

at water today.

23

When I said long-range view, if

24

global warming is true, our costal

25

communities are going to be in

1 96

2 major, major trouble. The water
3 will disappear. It will be gone.
4 We don't know what will happen.

5 And I think one of your
6 concerns or your goals should be
7 that in the long term whoever gets
8 involved, whatever county, whatever
9 authority, that the major job is to
10 protect the aquifer of Long Island
11 all across Long Island.

12 James Larger Junior: In your
13 personal view, is a sustainable tap
14 of Lloyd Aquifer okay if there is
15 more going in than going out, is
16 that okay?

17 May Newburger: I don't think
18 you should be invading the Lloyd
19 Aquifer at all. You don't know
20 what is going in. There's always a
21 possibility that contamination can
22 go into the water. It is the most
23 pristine. My concern again is that
24 you open up Pandora's box, and you
25 can't get it closed.

1 97

2 Kevin Law: The Suffolk County
3 Water Authority is not a Suffolk
4 County department. We have a
5 health department. We do not
6 control them. The Suffolk County
7 Water Authority is a separate state
8 independent authority.

9 Number two, I disagree with my
10 dear friend Seth. I don't know if
11 the practice in the Board was never
12 to take that position, you may want
13 to take that position on
14 application.

15 Chairman Larocca: When not
16 precluded by law.

17 Kevin Law: I think part of the
18 charge that Tom and Steve gave me,
19 I think they were looking for you
20 guys to look at your type of role,
21 to take some tough position on some
22 tough applications for some tough
23 issues out there.

24 Thomas Maher: Tom Maher for
25 Nassau County. Seth and I did not

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have a discussion and I expressed
our concern, Nassau County's
concern.

The two things are economics.
The water authority did do an
economic analysis of water
treatment and transmission of water
and we came up with, I don't know
what the figure was, but millions
of dollars. I had that about a
year and a half ago. It's nice to
say it's millions of dollars, but
what is the impact on consumers.
This is over twenty or thirty years
to just come up with an impact; is
it \$2 a year, \$20 a year. Then you
start to talk about what is the
economic hardship.

The other thing is, I think the
law really has to be revisited.
It's talking about contaminated
with chloride. What does
contaminated mean? To me, if it
exceeds the draining water

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99

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standard, it would be contaminated.

3

Suffolk County Water

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Authority's position is we have

5

ten-twenty parts per million and

6

therefore, it is contaminated.

7

Therefore, I have the option of

8

going to the Lloyd Aquifer.

9

Those are the two main issues;

10

it's coastal community and it's

11

really extreme economic hardship.

12

If you take a look at the

13

documentation, this opens the door

14

to what Suffolk County Water

15

Authority, I think, is going to

16

make the application for another

17

five or six wells.

18

That's not just Suffolk County,

19

it concerns Nassau County as well.

20

If you get this coastal clearing

21

designation with a couple of parts

22

of chloride, you can find that in

23

the pine barrens then it allows

24

anybody, that includes the Nassau

25

County water authorities as well,

1 100

2 just to go ahead indiscriminately
3 and tap the Lloyd Aquifer. That's
4 really Nassau County's concern.

5 John Cameron: I agree. To me
6 this is not a Nassau County Suffolk
7 County issue. The next application
8 is going to be from the North Shore
9 community telling you that it has
10 some contamination issues.

11 Tom Maher: It could be in the
12 middle of the Island.

13 Elizabeth Botwin: I think that
14 one of the things the discussion
15 brings out is the importance of
16 bringing in a great deal of
17 expertise on each of this topics
18 and this is a very important topic
19 for both counties. And the brief
20 and paper of the draft action memo
21 may have been written in a more
22 definitive tone than it might have
23 been intended. I don't think at
24 the end of the discussion the
25 members of the Board may feel I am

1 101

2 going to support an application of
3 which is pending before DEC, water
4 district and independent water
5 companies, cease their authority
6 over water and span in Nassau and
7 create a water authority.

8 I would like to speak to the
9 latter point for a minute, if I
10 may. Comptroller Weissman has been
11 working with the three town
12 supervisors in Nassau, Senator
13 Balbone and trying to establish a
14 working group looking at the
15 special districts in Nassau County
16 in general and whether there is an
17 interest in working together in
18 both for the goal of using cost and
19 for the extent it would be an
20 advantage to consolidate the very
21 small ways of delivering services
22 into larger units.

23 Some of the things that has
24 been discussed in a general way is
25 whether there is a support or

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102

creation of a model of the Suffolk
County Water Authority. I would
say, we are a long way from having
the consensus to take that step and
to demonstrate the administrative
need to take that step. That is
something that would take a great
deal of work and may be very useful
for this Board to build up that
sort of support for that
administrative staff, but we are
not there yet.

Chairman Larocca: Well taken.

Patricia Bourne: I was
thinking I am a gardener. I love
to water my roses and tomatoes. I
can remember twenty years ago we
went through a drought period on
the east coast and in the midwest.

We can't predict what is going
to happen in the future. If we
went back to any kind of period as
I recall where New York City and
the Atlantic states were competing

1 103

2 who was going to get access to the
3 Delaware River because they really
4 had water problems.

5 Long Island water is definitely
6 expensive. If we started to look
7 at terms of resources in terms of
8 Lloyd Aquifer and other access of
9 keeping water on Long Island, it is
10 a possible impact if we go through
11 another drought period.

12 As far as the fact of global
13 scope, there are private firms that
14 are buying up water supplies. I
15 don't know if it's here in the
16 United States. We are so concerned
17 about water and energy. We will be
18 concerned about access to water and
19 can we afford it.

20 The point I am making, I think
21 we also need to explore ways, we
22 have done many the past, we haven't
23 done enough to water our gardens
24 enough. We need to look at
25 conservation. If we want to see

1 104

2 development in the future;
3 residential uses, and other kinds
4 of uses not to have to make that
5 decision on water issues whether
6 you can build or cannot build. I
7 think we need to look at all of us
8 doing a better job at conservation.
9 We haven't touched on it in a
10 decade.

11 As we approach the application,
12 I'm not talking about anything
13 specific, I think we can do it
14 regionally not just one town and
15 one village doing it, that's not
16 fair. Why is this town conserving
17 and not ours. I think that's
18 something that the Planning
19 Commission can look at.

20 James Larger Junior: I think
21 we can come to a decision. We
22 should come to a decision as to
23 whether or not, I am going back to
24 our planning issue, whether or not
25 this has a high priority in our

1 105

2 satellite. I get a sense around
3 the table it is. If that would be
4 true, I would make a second
5 suggestion while this is really
6 background information that we
7 should design a more comprehensive
8 analysis including tapping of
9 outside pros and cons and the rest
10 of us, a study that should come
11 back to us upon its completion.

12 I don't think we have enough.
13 I do think we can recommend it
14 being a very high priority for us.
15 I do think you could instruct,
16 Seth, unless there are more
17 important things in that list than
18 to propose it to a full plan and
19 consider it at a later date.

20 Michael Cavanagh: Not on the
21 application, but more personal
22 regional view. Suffolk County is
23 currently involved in a
24 comprehensive water management
25 study. Your discussions about the

1 106

2 regional situation, if the Board
3 would like, we can certainly give
4 you a presentation about what the
5 Water Authority is doing.

6 It is picking up on all of the
7 historical data including water
8 programs and others utilizing
9 outside consultants in a board
10 base; technical assistants and
11 tearing committee to do exactly
12 what you are talking about. Trying
13 to get a further definition of our
14 regional groundwater. We can have
15 folks from our health department
16 come in and present that to you.
17 We would welcome Nassau County to
18 come in and discuss that.

19 Joseph Troiano: I would like
20 to comment on what Jim just said on
21 establishing priorities. It has
22 worked with us both on the NEVOA
23 and New York in Albany having your
24 overall priority as an organization
25 and establishing on a level on the

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2

basis of your different priorities

3

so you go forward with your agenda

4

on a national basis. I think with

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this issue you set it this way. I

6

think this issue brings that up I

7

think it really does focus on that.

8

Regionally we have to access things

9

that way.

10

Chairman Larocca: Thank you

11

for a very good discussion. I told

12

you at the beginning of my feeble

13

process of thinking I was trying to

14

derive from government questions.

15

I think I still think that way.

16

That is, we have a regional

17

resource that is managed by

18

subregional authorities, and

19

putting aside an individual

20

judgment about whether that works

21

or always works or doesn't work as

22

well as it should. It seems to me

23

to be inevitable that the region

24

will have to address the matters of

25

the regional forms of government

1 108

2 for this regional resource,
3 critical regional resource.

4 So going further with our
5 investigation of public policy and
6 planning of this issue, I would
7 like governments to be a critical
8 part of what we look at without
9 prejudicing what kind of an outcome
10 per se that might be. There is a
11 lot of science and technical work,
12 bringing a lot of that forward.

13 Again, I don't think our
14 function would necessarily be to
15 redesign a comprehensive water plan
16 for the region, if you will, but
17 rather to address the policy
18 implications. How do we govern it?
19 What are the critical decisions
20 that have to be made by government
21 and water management.

22 If I may, I will work with Seth
23 on trying to bring this around to a
24 possible recommendation for this
25 Board in the next meeting or so, so

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that we can be heard. I think what

3

I do hear on a strong consensus

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that we should be on this matter

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and the time is upon us.

6

John Cameron: I think the

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point was well taken by a number of

8

Board Members. For us to come to

9

that consensus, we need to hear

10

from the various perspectives not

11

just Suffolk County, Nassau County,

12

DEC. There are a number of

13

agencies that are definitely

14

affected by this issue.

15

Chairman Larocca: Just to

16

clarify, not the matter of this

17

application per se, but rather the

18

broader question.

19

John Cameron: Right. I'm fine

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with that.

21

Chairman Larocca: The

22

application is in my mind a trigger

23

to a larger discussion as it

24

presents itself.

25

Next up, hurricane insurance.

1 110

2 Are we officially in the hurricane
3 season, I guess we are?

4 Seth Forman: I will make this
5 fast, because we had an extended
6 discussion on the Lloyd Aquifer. I
7 really desire to raise it as a
8 discussion point, but to get
9 feedback also about what you think
10 the Regional Board can do on a
11 situation like this.

12 Essentially there is a lot of
13 housing needs and in the one
14 hundred year flood plan as FEMA
15 defines it, three hundred
16 sixty-four, five hundred forty to
17 be exact and only around six
18 thousand of them have flood
19 insurance.

20 The Insurance Commissioner of
21 New York, Mr. Mills, has been in
22 the area recently trying to
23 encourage local homeowners to
24 purchase homeowner insurance
25 through the National Flood

1 111

2 Insurance Program. Almost everyone
3 on Long Island is eligible for some
4 sort of coverage under that plan.
5 Those people who are in danger
6 zones which is basically labelled
7 by the A zone or the B zone of
8 course need it more and perhaps
9 because of their risk would have to
10 pay a higher premium.

11 I have included a couple of
12 maps. The first map gives you a
13 general idea about storm surge
14 areas. Essentially the one hundred
15 year flood plan area equates to
16 what you see on this map a
17 Category 3 Hurricane, a very strong
18 hurricane. There are hundreds of
19 thousands of people who live in the
20 area.

21 I calculated, and it's just an
22 estimate, but the amount of
23 property that is in this area
24 calculates now to about, I think
25 it's about, in terms of the

1 112

2 structure of the property which is
3 what is insured by Federal Flood
4 Insurance is something on the order
5 of forty billion dollars.

6 The entire property tax warrant
7 for Nassau and Suffolk counties for
8 any of the given years are around
9 \$8,000. If these properties are
10 wiped out and the people are
11 depending on the government to
12 provide disaster relief almost like
13 what happened in New Orleans, you
14 can destroy the entire governmental
15 structure on Long Island.

16 I think we can play a role or
17 should play a role in trying to
18 encourage communities particularly
19 the ones that participate in the
20 national flood program to encourage
21 homeowners to purchase flood
22 insurance.

23 There's not a lot government
24 can do with that. Most people
25 don't want to pay the extra amount

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or see it as a burden that they
needn't carry or shouldn't have to
carry. Our prior plans in the past
have recommended that flood
insurance for critical areas A
zones and B zones be eliminated,
because we believed at that point
it encourages development in
hazardous areas.

However, the program is in
place and it indemnifies ourselves
as a region against these kind of
monumental losses. It would
benefit us to have as many people
enroll in flood insurance as
possible.

There is one or two or three
things that communities can do to
make it easier for people to
purchase federal flood insurance.
One is, to be eligible for the
community rating system, which
means you look at a community as
defined as the flood insurance

1 114

2 program. The community can
3 take several kind of steps in order
4 to qualify for discounts on the
5 federal flood insurance up to,
6 if you do all of the things that
7 the agency feels and thinks
8 that you should do, up to
9 forty-five percent. It could
10 lower, for example, the cost of
11 a premium which can go up to two
12 hundred fifty thousand. That's
13 worth of coverage. It could lower
14 it to somewhere near \$600 or \$700 a
15 year from what would typically be
16 \$1,200, \$1,300.

17 There are things that the
18 communities can do. There are only
19 eight communities out of something
20 on the order of ninety-something in
21 both counties that participate in
22 the flood insurance program. There
23 are only eight in the community
24 rating system. They only get a
25 five or ten percent discount.

1 115

2 I am trying to get some
3 feedback. Is there something we
4 can go as a body or as a Board;
5 have a meeting to make people more
6 aware and to help communities,
7 perhaps, qualify for a pretty
8 significant discount for their
9 residence in their communities.

10 I don't know if there is
11 anything. I want to raise that so
12 you people can kind of help me.

13 Chairman Larocca: What occurs
14 to me, Seth, is that the federal
15 policy is critical to the whole
16 structure of how insurance is made
17 available in special areas, coastal
18 areas, hurricane areas, flood areas
19 brush fire areas and so forth.
20 What I see nationally is something
21 of a bias.

22 It's thought to be a problem
23 with the rich folks with coastal
24 houses who are, therefore, not
25 entitled to federal involvement in

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116

terms of insurance or risk rules
for insurance, but if you live in a
house in Mississippi Valley, which
you know will flood every seven
years no matter what, there is no
such quarrel. This is a little bit
of a disparity.

It occurs to me, we should,
perhaps, in the form of a
communication from this Board to
our federal representatives, that
if there is going to a
rationalization of policy here that
makes homeowners or gives
homeowners access to reasonably
priced insurance on a proper
actuary basis consistent with the
treatment of the rest of the
country. Then it's really our
federal representatives that we
might resolve to communicate with.

Tom Maher: Seth, a question.
If you take out a mortgage from the
bank and the lenders, they don't

1 117

2 require flood insurance.

3 Seth Forman: Yes, in the A
4 zones and the B zones they did.

5 Chairman Larocca: The man in
6 Brooklyn found out you can be in
7 the middle of Bushwick and he
8 wasn't far enough away.

9 Joseph Troiano: It's not
10 necessarily a big distance. It's
11 whether or not you are in certain
12 flood map zone.

13 We welcome a presentation to
14 the NCVOA on the general membership
15 meeting and told the mayors, what
16 the mayors and coastal communities
17 can do to qualify.

18 Thomas Maher: Two points, the
19 map for the flood rate maps is a
20 couple of years old. There is a
21 method to update the map using
22 lazar supporting those efforts to
23 fund regional mapping updates for
24 the flood insurance programs.

25 Secondly, a number of

1 118

2 communities including Suffolk
3 County and villages and towns are
4 working on predisaster protection.
5 What are the steps that can be done
6 by communities to minimize the
7 impact of damage by hurricanes
8 before it occurs.

9 So the second count, is that
10 the Regional Board may want to
11 consider supporting the communities
12 in that predisaster planning
13 mitigating life impact, raising
14 roads, things of that nature that
15 could be done in terms of a storm
16 event.

17 Joseph Troiano: Just to follow
18 up. Nassau County is preparing a
19 housing evacuation plan. They
20 received a grant. I think the
21 grant was going to be presented to
22 the public today. I am going to
23 wind up missing. I wanted to go to
24 it.

25 Maybe, again, if the Board is

1 119

2 interested we could ask the
3 emergency management to make a
4 presentation.

5 Chairman Larocca: Who has the
6 action in Nassau?

7 Kevin Law: It's our first
8 commissioner, Joe Williams. Just
9 last week we held a meeting with
10 the ten town supervisors to go over
11 hurricane management. I think
12 that's one thing that the county
13 and the town parks in Nassau County
14 they have had a bunch of regional
15 drills. One on hurricane
16 preparedness and one of fire impact
17 on residences. So we are actually
18 doing that well.

19 What I think would be a good
20 thing to have is sit down with
21 those two and maybe invite both of
22 them in to share with the Board.
23 We can figure it out.

24 Chairman Larocca: Point well
25 taken. Let me raise a question I

1 120

2 have as Chairman.

3 If I add up the number of
4 things that we want to have in a
5 meeting, we are going to have a
6 full legislation with no body. We
7 can't do that. We need alternative
8 processes for discharging our
9 duties to be more clear. If we are
10 getting into, even on this
11 groundwater business, if we were
12 actually going to do something like
13 a comprehensive hearing-type
14 setting just on that subject, we
15 can consume the rest of the year.

16 Let me think about how we
17 organize these inputs in a way
18 that's meaningful for the Board
19 that only meets once in a month.
20 It may be that, we particularly,
21 as we complete our staff
22 reorganization and bring in
23 full-time executives and the rest,
24 we will have a better protocol on
25 how we get at the subjects that we

1 121

2 have to have.

3 If I could just have Seth try
4 to move this along.

5 James Larger Junior: At this
6 point two weakness. One that was
7 discussed at a prior meeting. The
8 second, it points out a budget
9 floor whenever, requires
10 communication. There is nothing in
11 the budget, so whatever we decide
12 is virtually useless.

13 John Cameron: John, I thought
14 we put one hundred thousand dollars
15 in for public education.

16 James Larger Junior: I beg
17 your pardon. I had not seen that.

18 John Cameron: At the meeting
19 we added that.

20 Seth Forman: I don't know if
21 we divided consulting into that.

22 James Larger Junior: It's
23 right. We have to keep moving.
24 Let's take a look.

25 Chairman Larocca: On this

1 122

2 matter, Seth, if you would look at
3 what form of communication we might
4 make to the federal representatives
5 on this.

6 May Newburger: You gave me
7 this briefing and maybe I
8 misunderstood, Dr. Forman. I
9 thought you said you set out all
10 the issues for all the people to
11 look at. However, there are staff
12 recommendations in this that say
13 lift the moratorium in Suffolk,
14 keep the moratorium in Nassau and
15 Queens. Forgive me.

16 Chairman Larocca: You're
17 absolutely right. That's not what
18 we're doing today.

19 May Newburger: It kind of sets
20 a tone.

21 Chairman Larocca: This was our
22 first venture into of what these
23 briefing memos would look like. If
24 you would see that more as an
25 expression of options.

1 123

2 May Newburger: If it had been
3 put in an as expression of options.

4 Kevin Law: Also, the problem
5 of circulating the draft.

6 Chairman Larocca: Next up are
7 the final two items they are both
8 in the energy area is the proposal;
9 to put a liquified natural gas
10 facility into Long Island Sound,
11 and a wind farm on the South Beach.

12 Let me tell you at the outset
13 on both of these actions to the
14 extent this Board takes any action,
15 I will recuse myself because of my
16 involvement with KeySpan Energy.
17 KeySpan is not a contractor in any
18 way in the proposal. It remains to
19 be seen what, if any, role it will
20 have in the wind farm. I may
21 participate in the conference, but
22 I will not be part of any formal
23 action the Board might take.

24 Seth Forman: Again, these are
25 related issues. I am not going to

1 124

2 go into them in detail. Most of us
3 are aware of energy and the two
4 proposals that are out there.

5 Again, to establish a floating
6 liquid natural gas terminal in the
7 Long Island Sound and that is about
8 nine miles off of Shoreham, and
9 LIPA's proposal to have forty wind
10 turbines built up the South Shore
11 off Robert Moses Jones Beach about
12 three and a half miles.

13 The main findings of the
14 research that we conducted is that
15 there is no a lot of information
16 that we can use to make a
17 determination at this point, and
18 the primary recommendation in both
19 areas is, again, it does seem that
20 there seems to be a waiting game
21 for federal agencies to act in both
22 instances. Whether it's the
23 mineral management services or the
24 aquifer in the case of broad water.

25 The recommendation is to try

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to motivate the state agencies

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that are involved in energy

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including New York State Energy and

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Research Development Authority to

6

conduct studies in both instances

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and for the relevant state and

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the departments, such as, the

9

Department of Environmental

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Conservation and others, to develop

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standards for citing these kind of

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production facilities as if they

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were binding legal authorities.

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That's essentially what I

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wanted to raise, and I leave it up

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to the Board Members to determine

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the role they want to play in each

18

of the two issues.

19

John Cameron: I think similar

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to the tapping of the Lloyd issue,

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these are both issues that are much

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easier to discuss in the broad

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sense, the question of the Lloyd

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water then in the details of this

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specific application.

1 126

2 I think the exception to the
3 list is another thing this Board
4 can support, the affordable housing
5 issue or next generation housing
6 issue. Everybody on Long Island
7 supports until you propose a budget
8 in their neighborhood. The same
9 thing with the energy. They will
10 say, yes, we need to weed ourselves
11 off processed fuels or we need to
12 access more clearer energy until
13 you talk about a specific project
14 in their neighborhood.

15 I think both of these projects
16 received criticism for a number of
17 reasons, but particularly, I think
18 if you will, the naive syndrome,
19 anything near somebody in the
20 proximate area to somebody whether
21 they are going to question on a
22 health issue or a safety issue or
23 environmental issue.

24 I think globally I think this
25 Board could always support the

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growth with regard to the energy plans with regard to the offshore wind project. It's an easier one to discuss. It does appear that the finances have been disclosed by LIPA.

I, personally, would like to see one of our meetings dedicated to energy. I would like to hear a presentation from LIPA as to; what our long-term needs are, what's the long-term energy plan from LIPA, how are we going to satisfy that. I know there's a law requirement twenty-five percent renewable energy requirement for 2010 or what is in the foreseeable future. I would like to know how they plan on obtaining that, also what the cost is associated with that. You are hearing numbers anywhere from one hundred twenty-five to four hundred million dollars. That's for a wind farm project.

1 128

2 They should at least be able to
3 come back to us, assuming we are in
4 the mix, come back to the public at
5 least in a public setting as to;
6 what the project is going to cost,
7 how the analysis was done on a life
8 cycle analysis, what the cost of a
9 barrel of fuel was. They did this
10 a few years ago. There are a lot
11 of questions and they should be
12 open as how this fits on their
13 plan, how the broad water fits in
14 their plan.

15 I think the Regional Planning
16 Board energy, again, goes up there
17 with the environment and drinking
18 water supply and affordable housing
19 and education, etcetera.

20 Seth Forman: LIPA did ask if
21 they could come and make the
22 presentation based on the wind
23 farm.

24 John Cameron: Not just LIPA,
25 LIPA in particular, all the other

1 129

2 groups that have stakeholders
3 whether they are environmental
4 groups, economical groups etcetera.

5 Michael Cavanagh: If I can
6 just piggy back on what you are
7 saying.

8 There are also other proposals
9 that are dealing with energy that
10 fit into your inquiry, gas lines.
11 Some of the other things that are
12 going on need to be brought into
13 the discussion as well.

14 Chairman Larocca: I did write
15 a column associated with two
16 issues. In the case of broad
17 waters that are processes on the
18 way judicial and regulatory that
19 have the actions on this, but I'm
20 not sure if either of those
21 processes, as I understand them,
22 deal with the very broad possible
23 policy question of substituting one
24 form of foreign energy for another.

25 You are saying, getting off

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processed fuel. The only other
form of processed fuel that will
come to us is from the coast of
Africa. This is an area that has
since to be explored to say the
least. I think among the many
levels of questions is another form
of foreign energy for the foreign
energy that we use now.

The environment, safety,
security and other questions are
all valid questions. I think, to
the extent they are being examined
in those processes, we need not to
address them here, at least at this
point, other than to observe
monitory that they are being
properly addressed. Now even the
degrees they are being properly
addressed, we know they are in
those processes. We might want to,
at some point, express ourselves
about the adequacy of that.

With regard to the wind farm,

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you know there was a very important federal legislation two or three years ago nationally and it deals with many, many, many years. It creates accelerated processes. One of the consequences of those processes is the economic contract and the other information about other projects. That prior information might be more fully known for federal agency acts which are now acts. They're in the same time frame.

One of the criticism that I have heard that has resinated with me, we do not know a lot about the contracts and economic arrangement for the wind farm; at what price the energy will be purchased, under what contract circumstances, what guarantees, and remember the conventional elements of the contract.

It may well be good ones or

1 132

2 not, but the point is the way the
3 process has evolved so far, they
4 are simply not agencies fully known
5 before the law changed.

6 What I said in the column I
7 wrote the other day, I think it's
8 hard for Long Islanders to make an
9 informed judgment about the wind
10 farm absent that information. Of
11 course people there get on the
12 other issues of; environmental
13 impacts, risk to marine environment
14 or not, all of those is a bunch of
15 questions that is being presumed to
16 be addressed in those processes.

17 It's sort of hard in the
18 absence of a complete picture to
19 know.

20 John Cameron: Again, it is
21 easy to support something in
22 context, but without having all the
23 information or at least the vast
24 majority of it made available to
25 the public. How do you make the

1 133

2 intelligent decision, how do you
3 support some things and criticize
4 others. The criticism is easy.
5 There's not enough information out
6 there to support it and the hurdle
7 is much harder for any of those
8 proposals to want support or
9 whether these agencies or others
10 agencies or whether it's the
11 general public.

12 Neal Lewis: The Nassau County
13 Planning Commission, one of their
14 members, but as an environmental
15 group that has been involved in the
16 wind proposal, I thought it would
17 be helpful to point out the two key
18 dates coming up. August 21st is
19 the last date for comments of the
20 scope of DEISS. That is, finally
21 after a long time is, finally under
22 way. I suspect you didn't have the
23 opportunity to prepare any comments
24 in that timetable. I don't think
25 that's necessary, because quite a

1 134

2 lot of issues have been raised and
3 the written comments.

4 The more important date I think
5 is the date of April of this coming
6 year where the draft environmental
7 impacts statement would be ready.
8 I have said to other groups that
9 did not take positions up until
10 now, really in many respects is
11 going to have the DEISS is really
12 the best opportunity and steps to
13 take a position. You can argue to
14 take a position for or against. I
15 would encourage you to kind of look
16 ahead at that as a timeline.

17 I would like to see the broader
18 range of that energy proposal. I
19 think in many respects it is sort
20 of a broader range of any
21 suggestions I think the Regional
22 Planning Board could perhaps play a
23 role. We do have an authority that
24 was created by law that was created
25 by the governor that would

1 135

2 essentially be leaving office at
3 the end of this year.

4 It seems reasonable to take a
5 look at the current structure of
6 that authority, how it goes
7 forward. It was originally created
8 with legislation that would have an
9 elected board. The Board of
10 Trustees is now appointed instead
11 of elected. I think there is a
12 number of other questions that is
13 raised about that structure. We do
14 open the doors to any questions of
15 energy. It's very important.

16 I think one of your members
17 said there's this rule of about
18 twenty-five percent of the energy
19 generated from the standard. That,
20 again, is really an action of the
21 outgoing governor. That is not the
22 state law. It is an open question
23 for next year. It is an open
24 question for Long Island because
25 LIPA technically was not subject to

1 136

2 that rule. It said it would seek
3 to comply with it.

4 I am trying to say, there are
5 some broader questions, I would
6 appreciate that.

7 Chairman Larocca: Has the
8 Neighborhood Network taken a
9 position on the broad water and the
10 wind farm?

11 Neal Lewis: We specifically
12 preclude ourselves from any
13 discussions about broad water. We
14 took the position, we are not going
15 to take the position. Many other
16 groups are involved in it. Yes, we
17 do have some concerns, but we did
18 not take a position.

19 On the wind farm project, we
20 have been one of the early groups
21 in supporting the concept. I would
22 encourage people to take a look at
23 the website of the environmental
24 groups and see how it works on
25 Long Island.

1 137

2 We have been very focused
3 on putting out myth and fact
4 statements and pointing out
5 questions. Our position in favor
6 of the proposal is fully positioned
7 on part in the environmental
8 review. If the Environmental
9 Review finds significant
10 environmental problems that are
11 not mitigated, our support is we
12 can drop our support.

13 We do feel it's a proposals
14 from the environmental groups. It
15 was an environmental group that
16 went to LIPA in '02. It was an
17 attitude on the environmental
18 groups on Long Island.

19 Chairman Larocca: Have you, at
20 this point in your process,
21 satisfied yourselves about the
22 economics of it?

23 Neal Lewis: We have been
24 critical that LIPA has not done an
25 adequate job in explaining the

1 138

2 economics or a good enough job, we
3 both participate in. We are not
4 satisfied on that point. We
5 recognize the concerns that have
6 been raised about that point.

7 The explanation, just so you
8 know, they say when they do the
9 projects and the other projects,
10 they don't really review the whole
11 competitive bid process. I don't
12 think that is an adequate answer.
13 I think that whole process should
14 be opened up.

15 I also think part of the
16 problem is, they haven't finished
17 negotiating the process. There is
18 a reason why all that information
19 isn't on the table. We are not
20 satisfied economically. We don't
21 necessarily mean there is something
22 invidious or something terrible
23 about it.

24 Chairman Larocca: It's simply
25 that you don't know the economics?

1 139

2 Neal Lewis: It's tough to
3 compare a capital base project with
4 a tool base project. That speaks
5 to the reason why there needs to be
6 more information on the table, not
7 yet satisfied about the economics.

8 John Cameron: I should mention
9 there is a propositum being planned
10 right now for the fall jointly
11 between the LIRPB and the Lead
12 Conservation Board, of which I am a
13 Board Member, on energy with some
14 of the key players and some of the
15 names that were mentioned here
16 today which hopefully will increase
17 the public awareness on what these
18 key issues are.

19 I think this is an issue that
20 we are going to be discussing for a
21 long time. I think that's at least
22 a start.

23 Chairman Larocca: Any other
24 discussion?

25 What I would like to suggest on

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these matters, let Seth and I put

3

our heads together and see what

4

forum we bring back in September.

5

Perhaps in the form of a resolution

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either to communication. I will

7

get a draft out in the next couple

8

of weeks.

9

John Cameron: How about for

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the subsequent meeting in the fall,

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do we want to choose one meeting

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for energy? There are other

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issues, too. Maybe Seth can put

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the layers together and invite the

15

key people.

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Chairman Larocca: I think

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that's fine. Frankly, as Kevin

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just said a minute ago, given our

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limited time, what kind of

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sessions? We could consume the

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rest of our natural lives on any

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one of these subjects if we saw

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ourselves creating legislative-type

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settings, which I don't think we

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can do that.

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2 What we really need is an
3 alternative process for that. Once
4 we begin to invite other than
5 municipals that is always part of
6 our process. Once we start
7 receiving testimony from
8 constituents than fairness and
9 logic is going to require
10 comprehensiveness. I think we will
11 quickly get beyond our capacity to
12 do that.

13 Even if one of these matters
14 that we are talking about, if we
15 wanted to simply have the matter on
16 the wind farm, the appropriate
17 members of constituencies who would
18 want to be heard. Hearings don't
19 happen on accident. Meeting don't
20 happen. You have to reach out
21 somewhere. That is at the interim
22 stage of it's development.

23 I really want to think about
24 how. I have agreed from the
25 beginning we should try to devote

1 142

2 meetings to our subjects of areas,
3 not necessarily in the legislative
4 areas. I am still struggling with
5 that.

6 By the way, I would urge
7 everybody again just go back and
8 look at the 2005 Resolution. The
9 subjects vary and are listed and
10 the priorities are established. So
11 we are not starting from scratch.
12 They are all the logical subjects;
13 housing, transportation, they are
14 out there. Let us try to tailor
15 our meeting to the subject areas.

16 Let me struggle with Seth how
17 we do that so we are not simply
18 putting ourselves in a hearing
19 format.

20 James Larger Junior: I think
21 your earlier comment about that is
22 a good idea.

23 Chairman Larocca: We will see
24 what we can do with these items
25 that we have come up with.

1 143

2 Now September, October,
3 November and December, why don't we
4 take a minute to just talk about
5 what subjects we would like to make
6 the center point of each of those
7 meetings.

8 In the resolution, the way the
9 issues were raised I do not view as
10 being in a hierarchy, but they
11 were; transportation, housing,
12 environmental protection, economic
13 developing, healthcare planning,
14 homeland security and emergency
15 preparedness planning, energy
16 planning and others. We are really
17 free to take them up.

18 One possibility given the
19 discussion today, we could make
20 energy for the September meeting,
21 if that's agreeable. What would be
22 your pleasure.

23 John Cameron: I just feel the
24 housing issue is so critical, I
25 would hate to push that back.

1 144

2 Also, I think it speaks to energy
3 probably because of the timeliness
4 for the public discourse right now.
5 Housing to me is a critical input
6 to the Island. I would really like
7 to see that on the front burner.

8 Chairman Larocca: Energy,
9 housing, and I would argue for one
10 or two sessions for environment and
11 maybe transportation and that will
12 give us a focal point for the next
13 four meetings.

14 James Larger Junior: Seth
15 proposed eighteen issues that
16 didn't necessarily fall into that.

17 John Cameron: I don't know.
18 We owe it to Seth to comment on
19 that. Reorientating the
20 priorities, we owe that to him.

21 James Larger Junior: Secondly,
22 Seth was going to speak today on
23 the status of the master plan.

24 Chairman Larocca: There is an,
25 I'm not finding it right away, in

1 145

2 that work plan, is that where we
3 had enumerated the status for
4 chapters?

5 If you just go back to the work
6 plan document for a minute,
7 enumeration of the chapters in
8 there. On page eight of the work
9 plan document, I guess it's called
10 budget and work plan, it shows
11 where out of the twelve chapters
12 what the state of each is or was.
13 And one of the interesting things
14 that comes up, as I look at this,
15 when something is described as
16 complete, I'm not sure what that
17 means. Does it mean adopted? If
18 it means adopted, what does that
19 mean?

20 Seth Forman: The staff works
21 on it.

22 James Larger Junior: It should
23 mean it's approved by the Board.

24 John Cameron: No.

25 James Larger Junior: It is

1 146

2 approved by the Board.

3 Seth Forman: No, we had some
4 discussion with Patty's staff
5 particularly with the
6 transportation chapter that they
7 didn't feel was complete.

8 I actually have a separate
9 sheet after your first tab where
10 there is a printout on the legal
11 questions. Right after that I have
12 put the status of the regional plan
13 sheet and I renamed them. That is,
14 there's a draft that's complete or
15 in progress.

16 Chairman Larocca: We've got
17 better terminology to reflect.

18 Jim, that's the key point,
19 that the Board has not adopted,
20 whatever that means. In terms of
21 implications over it, we have not
22 adopted the chapters and we have
23 not adopted the plan.

24 James Larger Junior: If any of
25 these are complete and have gotten

1 147

2 out to the public, perhaps we
3 should move forward. I don't know
4 if any of them are. It's a shame
5 it has been put on the shelf.

6 Chairman Larocca: I will come
7 back to Jim with a plan for the
8 circulation matters.

9 Particularly, if I can continue
10 clarifying with Lee what's left in
11 his hand, how we get it over with.

12 Patricia Bourne: From Nassau's
13 prospective we had given comments
14 to Lee on the prospectus. He said
15 he never got them. There was some
16 confusion. We had never seen any
17 drafts, any of the views on the
18 final draft. From our point of
19 view, I don't think they are
20 complete.

21 Chairman Larocca: We are not
22 going to use that terminology.
23 Certainly, nothing is complete in
24 terms of Board action.

25 John Cameron: Now these

1 148

2 topics, we will do that in that
3 order, transportation in December?

4 Chairman Larocca: Is that
5 agreeable, yes? Let's consider
6 that done. Do you have the meeting
7 dates, Seth?

8 Seth Forman: November 14th at
9 9:00 a.m.

10 Thomas Isles: I wasn't going
11 to be here on the 14th. I really
12 care about environment. Can we
13 switch that?

14 Chairman Larocca: We can
15 switch transportation and
16 environment. Does that work for
17 you?

18 Theresa Sanders: Just the
19 chapters that are established for
20 the master plan, is it there or is
21 it just --

22 Seth Forman: I think they
23 basically piggyback the chapters of
24 the previous plans.

25 John Cameron: We should feel

1 149

2 free to change them.

3 Theresa Sanders: I would only
4 add a Chapter 13. That would
5 include equity of the underlining
6 quality of life issue. It runs
7 through all these chapters.

8 James Larger Junior: Long
9 Island chapter did that. It's sort
10 of cross country.

11 Chairman Larocca: Is there any
12 other business?

13 Do I hear a motion to adjourn?

14 Jackie Gross: Are we going
15 into an executive session?

16 Chairman Larocca: No, this
17 would be a motion to adjourn.

18 James Larger Junior: Aye.

19 Patricia Bourne: Aye.

20 Chairman Larocca: Thank you
21 very much.

22 (TIME NOTED: 11:47 a.m.)

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C E R T I F I C A T E

I, COLLEEN TRACK, a Shorthand
Reporter and Notary Public of the
State of New York, do hereby
certify:

That the Regional Planning
Board Meeting was set forth, and
such is a true record given by such
participants on August 15, 2006.

IN WITNESS WHEREOF, I have
hereunto set my hand on this
1st day of September, 2006.

COLLEEN TRACK